INVESTIGATIVE SUMMARY
USE OF FORCE
OFFICER INVOLVED SHOOTING

SPECIAL ENFORCEMENT BUREAU
(SUSPECT DECEASED)

IAB # SH2095119 URN: 003-13578-2670-013

On August 08, 2003 at approximately 1300 hours, members from the Special Enforcement Bureau responded to [redacted] East Avenue R in Llano regarding a barricade suspect. The suspect was later identified as Donald Kueck, who was wanted for the murder of Deputy [redacted]

Upon arriving at the command post, SEB personnel were deployed and a containment was established by replacing the previously positioned patrol personnel. After the containment was re-established a tactical plan was initiated. The plan included public address announcements to the suspect, urging him to surrender. After approximately 20 minutes of announcements the next phase of the tactical plan began.

Chemical agents were introduced into the various buildings at the location. After no response from the suspect the buildings were breeched by using the ram that was attached to the Los Angeles Police Departments, Armored Response Vehicle (ARV). At some point during this phase of the operation shots were fired at the deputies on the containment points and at the ARV. The deputies returned fire and additional chemical agents were deployed.

The suspect refused to surrender and continued to shoot at the deputies in the ARV. Because the suspect refused to surrender and was still barricaded in one of the buildings the decision was made to deploy road flares onto the building. The hope was to start the building on fire, forcing the suspect out where he could be seen and hopefully arrested.

The building caught fire, which spread to other buildings on the property. The suspect never exited the building. After the fires died down an area search for the suspect was conducted. Suspect Kueck's remains were found in the burned building he was shooting from. An assault rifle, Deputy [redacted] stolen Beretta, revolver and portable radio were found near the suspect's remains.

No Department personnel were injured during the incident.

INVOLVED PERSONNEL:

CHASE, Bruce, Deputy #[redacted]
Office of Homeland Security
Special Enforcement Bureau

CONNER, Zack, Deputy #[redacted]
Office of Homeland Security
Special Enforcement Bureau

HACKETT, Clipper, Deputy #[redacted]
Office of Homeland Security
Special Enforcement Bureau

BARTH, Phil, Sergeant #[redacted]
Office of Homeland Security
Special Enforcement Bureau

PLENT, Gerard, Deputy #[redacted]
Office of Homeland Security
Special Enforcement Bureau

BAUDINO, Anthony, Deputy #[redacted]
Office of Homeland Security
Special Enforcement Bureau

KEELIN, Fred, Deputy #[redacted]
Office of Homeland Security
Special Enforcement Bureau

DEMELLO, Jack, Deputy #[redacted]
Office of Homeland Security
Special Enforcement Bureau

RECTOR, Rick, Deputy #[redacted]
Office of Homeland Security
Special Enforcement Bureau

GALLEGOS, Clarence, Deputy #[redacted]
Office of Homeland Security
Special Enforcement Bureau

BURWELL, Ernest, Deputy #[redacted]
Office of Homeland Security
Special Enforcement Bureau
K-9 Services Detail

GUILBAULT, Robert, Sergeant #[redacted]
Office of Homeland Security
Special Enforcement Bureau

EMPLOYEE WORK HISTORY:

Chase, Bruce

Date of Employment	09/07/88
Date assigned to SEB	10/01/99
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	3
Prior Founded Force Incidents	[redacted]

Conner, Zack

Date of Employment	10/05/88
Date assigned to SEB	11/2001
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	1
Prior Founded Force Incidents	[redacted]

Hackett, Clipper

Date of Employment	02/10/89
Date assigned to SEB	11/01/97
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	1
Prior Founded Force Incidents	[redacted]

Barth, Phil

Date of Employment	01/26/83
Date assigned to SEB	10/2000
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	1
Prior Founded Force Incidents	[redacted]

Plent, Gerard

Date of Employment	10/01/81
Date assigned to SEB	04/01/90
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	[redacted]
Prior Founded Force Incidents	[redacted]

Baudino, Anthony

Date of Employment	01/28/80
Date assigned to SEB	09/18/96
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	2
Prior Founded Force Incidents	[redacted]

Keelin, Fred

Date of Employment	01/27/82
Date assigned to SEB	06/01/97
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	1
Prior Founded Force Incidents	[redacted]

Demello, Jack

Date of Employment	09/12/86
Date assigned to SEB	02/10/99
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	1
Prior Founded Force Incidents	[redacted]

Rector, Rick

Date of Employment	02/24/89
Date assigned to SEB	05/12/99
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	3
Prior Founded Force Incidents	[redacted]

Gallegos, Clarence	
Date of Employment	02/11/87
Date assigned to SEB	03/22/97
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	3
Prior Founded Force Incidents	[redacted]

Burwell, Ernest	
Date of Employment	01/21/77
Date assigned to SEB	01/1984
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	2
Prior Founded Force Incidents	[redacted]

Guilbault, Robert	
Date of Employment	05/12/83
Date assigned to SEB	01/1999
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incident(s)	1
Prior Founded Force Incidents	[redacted]

SUSPECT:

KUECK, Donald MW/08-21-50 Deceased

[redacted]

SWORN EMPLOYEE WITNESSES:

GARAY, Ralph, Deputy #[redacted]
Office of Homeland Security
Special Enforcement Bureau

ALEMAN, Daniel, Deputy #[redacted]
Office of Homeland Security
Special Enforcement Bureau

WILBER, Michael, Deputy #[redacted]
Office of Homeland Security
Special Enforcement Bureau

SCHLEGEL, Richard, Deputy #[redacted]
Office of Homeland Security
Special Enforcement Bureau

MAXWELL, Patrick, Lieutenant #[redacted]
Office of Homeland Security
Special Enforcement Bureau

WILLIAMS, Joseph, Deputy #[redacted]
Office of Homeland Security
Special Enforcement Bureau
K-9 Services Detail

RAMIREZ, Andres, Lieutenant #[redacted]
Office of Homeland Security
Crisis Negotiations Unit

LILLIENFELD, Mark, Detective#[redacted]
Detective Division
Homicide Bureau

VELAZQUEZ, Enrique, Detective #[redacted]
Commercial Crimes Bureau
Arson & Explosives Detail

SWORN WITNESSES, LOS ANGELES POLICE DEPARTMENT:

[redacted], Sergeant #[redacted]
Los Angeles Police Department
Metropolitan Detail, "D" Platoon

[redacted], Officer #[redacted]
Los Angeles Police Department
Metropolitan Detail, "D" Platoon

SUSPECT INJURIES:

Kueck, Donald

The following is a summary of injuries to Suspect Kueck, which are indicated in the report submitted by Deputy Medical Examiner, Irwin L. Golden, M.D. (Refer to Homicide Book, Exhibit #A, Page #194).

- Charring, fragmented partial human remains, extensive thermal burns
- Bullet wound , lower lobe of left lung
- Bullet wound, right side of thorax and right upper abdomen
- Shotgun pellets recovered from right scapula and posterior wall, previous injury

IAB Note: Ms. [redacted] said that her [redacted] (Kueck) was wounded by a shotgun during a previous incident (Refer to Homicide Book, Exhibit #A, Page #85). Ms. [redacted] did not recall the events surrounding this shotgun incident.

DEPUTY INJURIES:

No Deputy Personnel were injured in the incident.

PHYSICAL EVIDENCE:

All physical evidence was collected by Senior Criminalist, James Carroll (#[redacted] and documented in his supplemental report (Refer to Homicide Book Exhibit#A, Page #116).

The crime scene and physical evidence was photographed by Crime Scene Investigator, Deputy Mario Cortez (#[redacted]

INVESTIGATOR OBSERVATIONS:

The shooting scene is located at [redacted] East Avenue R, Llano. Upon arriving at the location I (Sgt. Sutton) saw Four (4) completely burned structures, several burned vehicles and one (1) intact stucco home (Refer to Photographs, Exhibit #D, E & F). The area is surrounded by open desert with access on dirt roadways. Sergeant Wegener and Investigator Fines of Homicide Bureau processed the scene, which is documented in their supplemental report (Refer to Homicide Book, Exhibit #A, Page #6).

WEAPONS USED BY DEPUTY PERSONNEL:

Plent, Gerard

Deputy Plent was armed with a "Colt," model M16A2 Commando, 5.56mm NATO caliber, select fire rifle. Deputy Plent fired 78 rounds.

Keelin, Fred

Deputy Keelin was armed with a "Colt," model M16A2 Commando, 5.56mm NATO caliber, select fire rifle. Deputy Keelin fired 20 rounds.

Baudino, Anthony

Deputy Baudino was armed with a "Colt," model M4/M16A2E, 5.56mm NATO caliber, select fire rifle. Deputy Baudino fired 7 rounds.

Gallegos, Clarence

Deputy Gallegos was armed with a "Remington," model 40-X. 308 Winchester caliber, bolt action rifle. Deputy Gallegos fired 8 rounds.

Conner, Zack

Deputy Conner was armed with a "Remington," model 700, 300 Winchester caliber, bolt action rifle. Deputy Conner fired 8 rounds.

Burwell, Ernest

Deputy Burwell was armed with a "Colt," model AR-15 SPI, 223 Remington caliber semi automatic rifle. Deputy Burwell fired 8 rounds.

Demello, Jack

Deputy Demello was armed with a "Colt," model M16A2 Commando, 5.56mm NATO caliber, select fire rifle. Deputy Demello fired 35 rounds.

Rector, Rick

Deputy Rector was armed with a "Colt," model M16A2 Commando, 5.56mm NATO caliber, select fire rifle. Deputy Rector fired 15 rounds.

Deputy Rector also deployed hot gas and road flares from the ARV's turret.

Chase, Bruce

Deputy Chase was armed with a "Colt," model M4/M16A2E, 5.56mm NATO caliber, select fire rifle. Deputy Chase fired 68 rounds.

Barth, Phil

Sergeant Barth was armed with a "Colt," model M4/M16A2E, 5.56mm NATO caliber, select fire rifle. Sergeant Barth fired 2 rounds.

Guilbault, Robert

Sergeant Guilbault was armed with a "Heckler & Koch," model MP5, 9mm, submachine gun. Sergeant Guilbault fired 27 rounds.

Hackett, Clipper

Deputy Hackett was armed with a "Colt," model AR-15 SPI, 223 Remington caliber, semi automatic rifle. Deputy Hackett fired 4 rounds.

WEAPONS USED BY SUSPECTS:

Kueck, Donald

Suspect Kueck was armed with a "Daewoo," model K1A1, 5.56 mm NATO (similar to 223 Remington) caliber rifle. The rifle was recovered with the bolt forward, chamber empty and an empty magazine inserted in the magazine well. The rifle had extensive burn damage (Refer to Photograph, Exhibit #I) and was found near the suspect's remains.

Suspect Kueck was also armed with Deputy [redacted] "Beretta," 92FS. This pistol was recovered with one fired cartridge case in the chamber and a magazine partially inserted into the magazine well. The magazine was severely damaged and consistent with having contained cartridges during a "cook off." The pistol had extensive burn damage (Refer to Photograph, Exhibit #J) and was found near the suspect's remains.

Suspect Kueck was also armed with Deputy [redacted] "Smith & Wesson," 38 special, Air Weight revolver. The pistol contained five cartridges, four that appeared to have "cooked off," and one under the hammer may have been fired. The pistol had extensive burn damage (Refer to Photograph, Exhibit #J).

PROPERTY DAMAGE:

Sergeant Wegener (#[redacted] and Investigator Fines (#[redacted] of Homicide Bureau noted the following observations and documented them in their supplemental report (Refer to Homicide Book, Exhibit #A, Page #6).

- Bullet strike on "Weber" kettle barbeque base (Refer to Photograph, Exhibit #G)
- Bullet strike on "Weber" kettle barbeque lid (Refer to Photograph, Exhibit #G)
- Bullet strike on vent shroud and washing machine (Refer to Photograph, Exhibit #G)
- Bullet strike on horizontal propane tank (Refer to Photograph, Exhibit #H)
- Bullet strike on water tank (Refer to Photograph, Exhibit #H)
- Bullet strike on vehicle (Refer to Photograph, Exhibit #F)

Sergeant MacArthur (#[redacted] and Sergeant Marsh (#[redacted] of Homicide Bureau noted the following observations and documented them in their supplemental report (Refer to Homicide book, Exhibit #A, Page #19).

- Bullet strikes to LAPD's Armored Rescue Vehicle.

  IAB Note: No photographs were taken of the damage to the ARV. The ARV was returned to LAPD after processing and before the crime lab could photograph it.

Deputy Velazquez (#[redacted] of Arson & Explosives Detail conducted a field fire investigation at the location. The following in a summary of his observations which are documented in his report (Refer to Homicide Book, Exhibit #A, Page #109).

- Four (4) completely burned structures, made of wood, concrete and stucco (Refer to Photographs, Exhibit #D & E).
- Propane tank, burned (Refer to Photographs, Exhibit #H).

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator's Name	Sergeant Mark Winters #[redacted] (Homicide Bureau) Sergeant John Corina #[redacted] (Homicide Bureau)
Court	No Charges Filed
Charges Filed	Suspect Deceased

LIGHTING OR WEATHER CONDITIONS:

The tactical operation began at approximately 1300 hours, during daylight and ended at approximately 2100 hours, during darkness. The weather was warm and clear.

INVOLVED EMPLOYEES STATEMENTS:

Deputy Chase, Bruce

On August 12, 2003 at approximately 1440 hours Sergeant Corina and Sergeant Winters of Homicide Bureau, interviewed Deputy Chase (Refer to Homicide Book, Exhibit #A, Page #63). The following is a summary of that interview. Deputy Chase is assigned to the Special Enforcement Bureau (SEB) as a member of the "Tan Team."

On August 08, 2003, Deputy Chase said he responded to the command post at 180th Street East and Palmdale Boulevard. He said that an informant had allegedly seen a person matching the description of Suspect Donald Kueck, enter a shed at [redacted] East Avenue R, Llano.

Deputy Chase entered L.A.P.D.'s Armored Rescue Vehicle (ARV) with Sergeant Guilbault, Deputy Keelin, Deputy Plent and Lieutenant Maxwell. They scouted the perimeter of the location and placed SEB personnel at various containment positions. After formulating a plan, the following SEB personnel were assigned to the ARV;

Lieutenant Maxwell
Sergeant Guilbault (Team Leader)
Deputy Plent
Deputy Keelin
Deputy Demello
Deputy Baudino
Deputy Schlegel
Deputy Williams (K-9 Handler) and his dog "Rik"
Deputy Rector
Deputy Chase
L.A.P.D. Officer [redacted] (driver)
L.A.P.D. Sergeant [redacted] (navigator)

Deputy Chase said, in order to deploy hot gas into the structures, a "Burn Safe" was connected to the end of the ARV's ram. Officer [redacted] then drove the ARV to the edge of the property line (location). Prior to Deputy Chase using the ARV's public address system to make announcements, containment personnel reported hearing a single gunshot. Some of the deputies inside the ARV also said they heard the gunshot. Deputy Chase said a roll-call was conducted and no Department personnel reported firing a shot. It was then assumed that Suspect Kueck had fired the gunshot.

Deputy Chase then made announcements for approximately ten minutes over the P.A. system, asking Suspect Kueck to surrender. Deputy Chase then made announcements for Suspect Kueck to contact sheriff's personnel on his cell phone or by using the sheriff's radio he had stolen from Deputy [redacted] Deputy Chase made these announcements for approximately twenty minutes but received no response.

Deputy Chase said he later learned that Suspect Kueck had been talking with Homicide investigators from his cell phone. Suspect Kueck told investigators that he was not inside any of the structures at the location and that he was nearby in the open desert.

Deputy Chase said the ARV was driven back on to the property. The burn safe was inserted into the southwest shed and hot gas was dispersed. Deputy Chase said the gas blew through the shed and also saturated the northwest shed. Believing that both of these sheds were sufficiently saturated they inserted hot gas into the north shed, behind the main house. After gas was deployed into the sheds, the burn safe was inserted into the location know as "[redacted] House" and hot gas was deployed. At this point the burn safe caught fire and it was removed from the home fearing it would cause a fire. Deputy Chase then saw Deputy Rector throw a "Tomahawk" hot gas device into the home, through the front door.

> ***IAB Note: The "Tomahawk" gas device works similar to a burn safe, but is smaller and deployed by hand. The device is designed to deliver hot gas with less risk of causing fire.***

The ARV retreated and a new burn safe was attached to the end of the ram. The burn safe was reloaded with another hot gas canister and they drove to the northwest shed. The burn safe was inserted into the shed and hot gas was deployed. At this point their was still no reaction from Suspect Kueck.

The gas appeared to have no effect on Suspect Kueck. The decision was then made to pull down the walls of the sheds, using the ram on the ARV. Deputy Chase said, if the walls were exposed on the shed's, deputy personnel would be able to see inside and possibly locate Suspect Kueck. When they began to pull down the walls on the northwest shed, gunshots were heard. Deputy personnel were unable to determine where the gunshots came from, but they sounded like a high powered rifle. Deputy Chase said a check of containment personnel determined that none of the deputies had fired their weapons. As the walls on the northwest shed were pulled down the roof collapsed, coming to rest three to four feet off the ground.

Deputy Chase said the ARV then drove to the southwest shed. Before the ARV began to tear down the walls on this shed, Deputy Chase heard bullets impacting the ARV. He could also hear the report of the gunshots. Deputy Chase heard a round strike the ARV on the passengers side next to where LAPD Sergeant [redacted] was seated. Deputy Chase was able to see the smoke signature from Suspect Kueck's weapon. It appeared that Suspect Kueck was firing at them from under the northwest shed. Deputy Chase saw the gunshot smoke again when Suspect Kueck fired another shot at the ARV.

At this point Deputy Chase returned gunfire from his "Colt" M-4 Commando (.223 Caliber). Deputy Chase said his firearm was in the full automatic mode as he fired several two round bursts into the general area where he believed Suspect Kueck was shooting from.

Deputy Chase said he feared that if Suspect Kueck had time to aim his weapon, he could fire a round into one of the gun ports on the ARV, and injure or kill one of the deputies inside. Deputy Chase fired at Suspect Kueck's location in an attempt to keep him from aiming at the gun ports or firing at the deputies on the containment points. During this initial exchange of gunfire, Deputy Chase fired 24 rounds from his weapon, at Suspect Kueck's location.

The ARV then drove to the west side of the northwest shed so more hot gas could be deployed into that shed. Deputy Chase said that Deputy Rector deployed the gas, but did so by exposing himself outside the turret on top of the ARV. As Deputy Rector deployed the gas, Deputy Chase provided cover fire. Deputy Chase said he fired 28 rounds, in the semi-automatic mode, from his weapon. He said Suspect Kueck continued to shoot at the ARV and the hot gas appeared to have no effect on him.

Deputy Chase said the decision was made to deploy two "flash bang" devices into the shed in an attempt to disorient Suspect Kueck and drive him from the shed. Deputy Rector deployed the first flash bang from the top turret of the ARV as Deputy Chase provided cover fire. Before the second flash bang was deployed Deputy Chase was running low on ammunition and relinquished his gun port to Deputy Keelin. Deputy Keelin provided cover fire as Deputy Rector deployed the second flash bang. One of the containment position informed the ARV personnel that it appeared that Suspect Kueck was attempting to shoot out the ARV's tires.

The ARV retreated to reassess the situation, retrieve additional ammunition and check for damage on the ARV. They saw that the ARV had bullet strikes on the outside skin. Deputy Chase said it was decided that road flares would be deployed onto the shed. The plan was to set the shed on fire and force Suspect Kueck out of the shed and into the open, where he could be seen.

The ARV drove back to the northwest shed to deploy the flares. As Deputy Rector deployed the first flare from the upper turret, Deputy Chase provided cover fire. Deputy Chase developed a problem with the firing of his weapon, so Sergeant Guilbault took over Deputy Chase's gun port. Sergeant Guilbault provide cover fire from his "MP-5" (9mm caliber) as Deputy Rector deployed the second flare.

The shed caught fire but Suspect Kueck never came out. Deputy Chase said that personnel from Palmdale Station reported seeing Suspect Kueck run out of the shed and towards the main house. Deputy Chase thought that Suspect Kueck could have exited the shed from a tunnel system that was possibly under ground.

Deputy Chase said the fire spread to the other structures on the property, with the exception of the main house. He heard ammunition exploding or "cooking off" in the fire. A search of the area was conducted with the ARV, an additional armored vehicle and K-9 units. When they reached the northwest shed, deputy personnel discovered the burned remains of Suspect Kueck's body (Refer to Photograph, Exhibit #L). Deputy Chase also saw the suspect's assault rifle in the ashes (Refer to Photograph, Exhibit #I).

Deputy Conner, Zack

On August 11, 2003 at approximately 1325 hours, Detective Barron and Sergeant Brackpool of Homicide Bureau interviewed Deputy Conner at the Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #26). The following is a summary of that interview.

Deputy Conner said he arrived at the command post at approximately 1230 hours (08/08/03) and was assigned to a "Long Rifle Position." His primary responsibilities were to relay any observations he made to the command post. Deputy Conner said he was positioned on East Avenue R with Deputy Gallegos and Deputy O'Sullivan. He said they were positioned approximately 130 yards south of Suspect Kueck's location.

Deputy Conner said the "target" location was determined and the ARV moved in to deploy gas. He said at this point no gunshots had been fired. When the ARV reached the west side of the compound, Deputy Conner reported seeing movement close to the ground, in the northwest shed.

Deputy Conner said personnel inside the ARV methodically deployed gas into each of the structures on the property. He said, each time after gas was deployed the ARV would return to the support vehicle where they would reload the burn safe with additional gas. Deputy Conner said the fourth time gas was deployed into a shed, deputies inside the ARV report hearing a single "pop" sound. Deputy Conner said he did not heard this pop. A roll call was conducted and no deputies reported being injured.

Deputy Conner then heard additional gunshots coming from the property. He believed the shots were fired by the suspect and sounded like a "Beretta." pistol.

After the gas was deployed, Deputy Conner said the ARV began tearing down the exterior walls of one of the sheds. Deputy Conner said the roof on the front shed (northwest) had collapsed. He saw the suspect's muzzle flash and report of a rifle coming from this shed. Deputy Conner said it appeared that Suspect Kueck was aiming his rifle directly at Deputy Garay and Deputy Bones, who were approximately 150 yards away on containment position #2B.

Deputy Conner believed that Suspect Kueck was attempting to kill the deputies on containment position #2B and fired two or three rounds from his "Remington, Model700" (300 Winchester Magnum) into Suspect Kueck's location. Deputy Conner saw Suspect Kueck fire five additional rounds from the shed. Deputy Conner then fired two or three additional rounds into the shed.

Deputy Conner said there was a period of intense gunfire. At one point he and Deputy Gallegos saw three distinct muzzle flashes, pointed in their direction, coming from the shed. Deputy Gallegos and Deputy Conner returned fire at the shed.

At this point, Deputy Conner said he and Deputy Gallegos moved their position to the #4 side of the shed. Both deputies ran towards the position, approximately 25 yards away. As they were moving Deputy Conner saw debris moving on the exterior of the shed. Believing Suspect Kueck was going to exit the shed and shoot Deputy Gallegos, Deputy Conner fired one round at the moving debris. After firing the shot Deputy Conner did not see anymore movement.

Deputy Hackett, Clipper

On August 11, 2003 at approximately 1440 hours, Detective Barron and Sergeant Brackpool of Homicide Bureau interviewed Deputy Hackett at the Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #30). The following is a summary of that interview.

Deputy Hackett said at approximately 1300 hours (08/08/04) he arrived at containment position #2 with Deputy Burwell and Sergeant Barth. Deputy Hackett said he was approximately 100 yards away from the compound (location) when he heard a single gunshot. He said at some point the gunshots continued at a rapid pace and appeared to come from the suspect. Deputy Hackett said the gunshots sounded like a small caliber handgun.

Deputy Hackett said the ARV had moved onto the compound and hot gas was being deployed from the burn safe. He said that rapid gunfire continued and sounded like a high caliber rifle. Deputy Hackett was able to see smoke from a gun muzzle coming from under the collapsed shed (northwest). He said it appeared the suspect was firing his weapon at the ARV or at the deputies on the "Long Rifle Positions." Fearing for the safety of those deputies, Deputy Hackett fired three rounds from his "AR-15" rifle (.223 caliber) at the suspects location.

Sergeant Barth, Phillip

On August 11, 2003 at approximately 1505 hours, Detective Barron and Sergeant Brackpool of Homicide Bureau interviewed Sergeant Barth at the Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #32). The following is a summary of that interview.

On the day of the incident, Sergeant Barth was assigned to containment position #2A. His position was approximately 60 yards west of the compounds property line and about 30 yards north of East Avenue R.

Sergeant Barth said the ARV breeched a couple of the buildings on the property. When the ARV breeched the shed that Suspect Kueck was believed to be in, he (Sgt. Barth) heard some gunshots. He said the shots sounded like a small caliber handgun. The ARV continued to push on the shed when Sergeant Barth heard a gunshot from a large caliber firearm.

Sergeant Barth said an armored vehicle (San Bernardino County Sheriff's) responded to his location and they used it for cover from the suspects gunfire. Sergeant Barth believes Suspect Kueck was shooting at his containment position and Containment Position 2B. He said he could hear bullets traveling past him. Sergeant Barth fired two rounds from his "M-4" rifle, in the direction where he saw a muzzle flash under the collapsed roof of the shed. He said that Deputy Burwell also returned fire at the suspects location.

Deputy Plent, Gerard

On August 11, 2003 at approximately 1230 hours, Sergeant Mac Arthur and Sergeant Marsh of Homicide Bureau interviewed Deputy Plent at the Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #39). The following is a summary of that interview.

On August 08, 2003 at approximately 1200 hours, Deputy Plent responded to the Llano area, regarding a barricaded suspect. While driving to the location, Deputy Plent learned that the suspect (Kueck) was believed to have barricaded himself in one of the out buildings located on the property.

Upon arriving at the command post, Deputy Plent was assigned to the ARV team. Deputy Plent said tactics to apprehend the suspect were discussed and put into action. Deputy Plent said, at approximately 1530 hours, prior to deploying chemical agents, about 20 minutes of public address announcements were initiated from the ARV. These announcements urged Suspect Kueck to surrender to deputies, but there was no response.

Deputy Plent said that chemical agents were deployed into the sheds located on the property. The ARV then breeched the walls of the shed Suspect Kueck was believed to be in. When the ARV was positioned next to this structure, Deputy Plent heard gunshots. He said ARV personnel were unsure where the gunshots came from. Deputy Plent then heard multiple gunshots from what sounded like a high powered firearm. Deputy Plent also heard the "ping" of bullets striking the exterior of the ARV.

Deputy Plent heard addition gunshots and Deputy Chase advised ARV personnel where the assaultive gunshots were coming from. He said Deputy Chase and Deputy Demello returned fire. Deputy Plent then saw muzzle flashes coming from the northwest shed. Deputy Plent said he took over Deputy Demello's position when his (Demello's) gun malfunctioned. Deputy Plent then returned fire at Suspect Kueck's location, from his "Colt Commando" (.223 caliber).

After many hours of engagement with Suspect Kueck a plan was developed to deploy road flares on to the suspect's location. The hope was to deploy the flares and drive the suspect out of his barricaded position. It was also a concern that the outer perimeter personnel were under constant threat from the suspect's gunfire.

Deputy Plent said the use of the flares were approved (Refer to Statement by Lt. Maxwell) and deployed by Deputy Rector. Two flares were deployed on the collapsed shed where Suspect Kueck was shooting from. The shed started to burn and Suspect Kueck continued to fire his gun, refusing to present himself. The fire spread to the other sheds and secondary residence on the property. All of these structures ultimately burned to the ground.

Deputy Plent said that team members received information that the suspect was seen running from the burning shed. A search of the area for the suspect was conducted. When the search team reached the shed where Suspect Kueck was believed to be, burned human remains were found. Deputy Plent saw the barrel of an assault weapon laying with the remains. Deputy Plent believed the remains were that of Suspect Kueck.

Deputy Baudino, Anthony

On August 11, 2003 at approximately 1346 hours, Sergeant Mac Arthur and Sergeant Marsh of Homicide Bureau interviewed Deputy Baudino at the Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #41). The following statements are summarized from this interview.

Deputy Baudino said he arrived at the command post via helicopter. He was assigned to the ARV as entry personnel.

Deputy Baudino stated essentially the same as Deputy Plent. Deputy Baudino reaffirmed that, prior to deploying chemical agents a sustained use of the public address system on the ARV was used, urging Suspect Kueck to surrender. Deputy Baudino also said that chemical agents were then deployed and the structures were breeched.

Deputy Baudino said when the northwest shed was breeched the roof collapsed. He then heard what he believed to be one gunshot, from a small caliber handgun. Minutes later he heard additional gunfire from what sounded like a high powered weapon. Deputy Baudino said Deputy Chase identified the source of the gunfire, then returned fire. Deputy Baudino said bullets were hitting the ARV, at which time SEB personnel returned fire from the ARV.

Deputy Baudino added that the ARV repositioned and another approach was made on the suspect's location. The plan was to deploy additional chemical agents into the suspect's location. Deputy Rector hand delivered a chemical agent canister into the location, as Deputy Plent provided cover fire. Deputy Baudino said Deputy Plent's firearm malfunction so he (Baudino) took over his position and fired five additional rounds of cover fire. Deputy Baudino said he did not fire his weapon again during the incident.

Deputy Baudino said the decision was made to deploy road flares onto the structure where Suspect Kueck was shooting from. The plan was to drive him out of the location and to make him stop his deadly assault. The ARV was repositioned and the flares were deployed, causing the structure to catch fire. Suspect Kueck continued to fire and did not surrender. All of the structures, except the main home, caught fire and burned. Deputy Baudino said he heard additional gunshots, but he was unsure if they were being fired by the suspect or if the bullets were "cooking off" and discharging.

During the fire an exterior containment position advised that they saw an individual run from the suspect's location and towards another structure. A search was conducted for the individual. Burned human remains were found in the location (northwest shed) where Suspect Kueck was shooting from. An assault weapon was also found with the remains.

Deputy Keelin, Fred

On August 11, 2003 at approximately 1230 hours, Sergeant Mac Arthur and Sergeant Marsh of Homicide Bureau interviewed Deputy Keelin at the Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #36). The following is a summary of that interview.

Deputy Keelin said he responded to the Lake Los Angeles area on August 08, 2003 at approximately 1230 hours. While responding to the location, Deputy Keelin received information that Suspect Kueck had been seen at a residence. Upon arriving at the command post a tactical plan was discussed and approved. After the deployment of containment personnel, the ARV was deployed with a cadre of SEB personnel.

Once the ARV was deployed onto the property, approximately 20 minutes of public address system announcements were made from the ARV. Deputy Keelin said the announcements urged Suspect Kueck to present himself and surrender. The suspect did not surrender and the introduction of chemical agents into the structures occurred next.

Deputy Keelin said a "burn safe" was affixed to the end of the ARV's boom and a hot gas cannister was loaded inside it. A lanyard was routed from the chemical agent canister to the interior of the ARV. The ARV then breeched each of the structures and chemical agents were deployed. There was still no response from the suspect after the deployment of these chemical agents.

The next tactic was to open up the exterior walls of the structures, using the boom on the ARV. Deputy Keelin said this would hopefully expose the suspect. During the breeching of the northwest structure, the roof collapsed. The roof collapsed on top of the rest of the structure leaving the roof approximately 3 to 4 feet off the ground. After the roof collapsed, Deputy Keelin said he heard a single gunshot from what appeared to be a small caliber gun. A "roll-call" was conducted of containment personnel. It was determined that no one was injured and no deputy personnel had discharged their weapons.

Not long after the first shot was heard, Deputy Keelin heard louder and higher powered gunshots. He believed the gunshots to be from a .223 caliber assault type rifle. Deputy Keelin knew that the suspect was possibly armed with an assault rifle.

Deputy Keelin said that Deputy Chase identified the origin of the gunfire. It was identified as coming from the partially dismantled, northwest shed. Deputy Keelin said the ARV and the personnel inside were now under attack. He said Deputy Chase returned fire towards the suspect. Deputy Chase's weapon malfunctioned and Deputy Keelin took over his position at the gun port. After taking this position, Deputy Keelin saw muzzle flashes coming from the suspects location. Fearing for his safety and those inside the ARV, Deputy Keelin returned fire. He said he fired approximately 20 rounds from his "Colt Commander" (.223 caliber). Deputy Keelin said he was being shot at and he felt the team members on the inner perimeter were extremely vulnerable to the suspect's gunfire.

Deputy Keelin said that there was a period of time during the tactical operation that additional PA announcements were made, requesting Suspect Kueck to surrender. He said those pleas were met with gunfire from the suspect. The next tactical plan was to deploy road flares on the suspect's "bunkered" location. Deputy Keelin said that the deployment of the flares would drive the suspect out the burning shed and force his surrender. The ARV was positioned and Deputy Rector deployed two road flares from the turret of the ARV. Soon, the structure began to burn and within several minutes was fully engulfed in flames. Deputy Keelin said additional gunfire came from the burning structure, but the suspect did not exit.

Deputy Keelin said there was an alleged sighting of the suspect seen running from the burning structure. A search of the area was conducted for the suspect. Suspect Kueck's burnt remains were found in the northwest structure. He also saw a the barrel of a rifle, laying amongst the burnt human remains.

Deputy Demello, Jack

On August 12, 2003 at approximately 1337 hours, Sergeant Mac Arthur and Sergeant Marsh of Homicide Bureau interviewed Deputy Demello at the Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #46). The following is a summary of that interview.

On August 08, 2003, at approximately 1200 hours was advised that Suspect Kueck had barricaded himself in a residence located at [redacted] Street East and East Avenue R, in the City of Llano. Deputy Demello said he was familiar with the area because he assisted in the service of a search warrant at [redacted] East Avenue R two days prior.

After arriving at the command post, Deputy Demello was assigned as part of the cadre in the ARV. Deputy Demello's statements were essentially the same as Deputy Keelin's in relation to the deployment of chemical agents into the structures and the sounds of sporadic gunfire from the suspect.

Deputy Demello said he heard bullets from the suspect's gunfire striking the ARV. He identified the suspects location by the muzzle flash. Deputy Demello said he returned fire from the right rear gun port of the ARV. He fired three or four rounds from his "Commando" (.223 caliber), at the suspect's location, then his weapon malfunctioned. Deputy Demello stepped away from the gun port and looked in the suspect's direction. He saw a piece of cardboard next to the suspect's muzzle flashes. He saw holes appearing in the cardboard as the suspect was firing his weapon.

Deputy Demello said a significant number of rounds had been fired at the suspect and they appeared to have no effect on him. The ARV was repositioned and the suspect's gunfire increased dramatically. In an attempt to drive the suspect out, an additional chemical agent cannister was deployed into the partially collapsed structure. This also appeared to have no effect on the suspect.

Deputy Demello said road flares were then deployed on to the northwest structure. After searching the area for reports that the suspect had fled, Suspect Kueck's burnt remains were found in the completely burned, northwest structure.

Deputy Rector, Rick

On August 12, 2003 at approximately 1520 hours, Sergeant Mac Arthur and Sergeant Marsh of Homicide Bureau interviewed Deputy Rector at the Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #48). The following is a summary of that interview.

On August 08, 2003, at approximately 1300 hours, Deputy Rector responded to the Lake Los Angeles area in regards to Suspect Kueck being barricaded in a residence. Upon arriving at the command post, Deputy Rector was assigned as part of the cadre in the ARV.

Deputy Rector was assigned to the turret of the ARV, where he provided support by deploying chemical weapons. After deploying chemical agents into the structures, the northwest shed was breached. Deputy Rector said the ARV was repositioned when he heard a single gunshot. He said the shot sounded like it came from a handgun. After several minutes Deputy Rector heard what sound like gunfire from a .223 caliber weapon. He then heard bullets striking the ARV. Deputy Rector saw where the suspect was firing from and he (Rector) returned fire. Deputy Rector fired approximately 15 rounds from his M4 (.223 caliber) at the suspect's location.

Deputy Rector then deployed additional chemical agents onto the suspect's location. He first deployed a gas cannister from a shotgun launcher. This cannister missed it's mark. He then hand delivered a gas cannister, and two light/sound diversionary devices ("flash-bangs"). The primary goal of deploying these devices was to flush the suspect out of his barricaded position.

The ARV went back to the staging area at [redacted] Street East and east Avenue R to reassess, plan and resupply equipment. During this time he was advised to deploy road flares on the shed, if the suspect continued to shoot.

The ARV returned to the suspect's location. Deputy Rector was directed (Refer to Lieutenant Maxwell Interview) to deploy two road flares on the northwest shed. Deputy Rector deployed the flares, which landed on top of the collapsed shed. The shed began to burn and the suspect continued to fire his weapon. All the structures eventually caught fire and the suspect never exited.

A search of the area was conducted and Suspect Kueck's burnt remains were found in the northwest structure.

Deputy Gallegos, Clarence

On August 11, 2003 at approximately 1458 hours, Sergeant Mac Arthur and Sergeant Marsh of Homicide Bureau interviewed Deputy Gallegos at the Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #43). The following is a summary of that interview.

On August 08, 2003 at approximately 1130 hours, Deputy Gallegos responded to the City of Llano regarding Suspect Kueck who had barricaded himself in a residence ([redacted] East Avenue R). Upon arriving at the command post, he was advised that he would be deployed as a "long rifleman," partnered with Deputy Conner. Deputy Gallegos was armed with a "Remington" 308 caliber sniper rifle, with a 40x scope.

Deputy Gallegos said he and Deputy Conner were positioned approximately 130 yards south of the main residence [redacted] East Avenue R). From this position, he said he had a good view of the main residence, secondary residence and two of the three outbuildings. After several hours at his post he was advised of a tactical plan to deploy chemical agents into the structures.

Deputy Gallegos saw the ARV make several approaches on the different structures and deploy chemical agents. He then saw the ARV breach several of the structures and saw the northwest structure (suspect's location) partially collapse. Deputy Gallegos then saw the ARV reposition near the southernmost shed. At that time he was advised of a gunshot being heard, he did not hear the gunshot.

Some time had passed when he heard several loud gunshots. Deputy Gallegos believed the ARV was under fire from what sounded like a .223 caliber firearm. After several more shots, Deputy Conner advised him that he could see the "signature" of gunshot coming from the northwest shed. Deputy Gallegos could see, through his rifle scope, the signature of gunfire coming from the shed. Deputy Gallegos said he knew the suspect was firing a .223 caliber rifle and believed he was directing deadly fire at personnel. Deputy Gallegos returned fire and fired 7 to 8 rounds at the suspect's location. He said he would fire one round, reassess and fire an additional round if the suspect was still firing.

After several shots were fired, Deputy Gallegos and Deputy Conner relocated their position, approximately 20 yards further west. As they moved, Deputy Conner saw debris moved near the suspect's location. Deputy Conner fired one round in the suspect's direction, to cover Deputy Gallegos as he moved.

Additional time had passed when he saw the ARV move near the suspect's location. Deputy Gallegos then saw the northern shed begin to burn and soon thereafter all the structures were on fire. Deputy Gallegos moved his position to get a better view of the suspect's location. He said that someone reported seeing the suspect flee the burning structure, however Deputy Gallegos believed no one had left. He said he had constant observation of the suspect's location through his rifle scope.

Several minutes had passed when Deputy Gallegos was advised that a search was going to be conducted for the suspect. He was advised that Suspect Kueck's remains were found in the burned debris of the northwest shed.

Deputy Burwell, Ernest

On August 11, 2003 at approximately 1629 hours, Sergeant Corina and Sergeant Winters of Homicide Bureau interviewed Deputy Burwell at the Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #61). The following is a summary of that interview.

On August 08, 2003, Deputy Burwell responded to the command post at [redacted] Street East and East Avenue R. He was assigned containment position #2A, with Sergeant Barth and Deputy Hackett. They arrived at this position at approximately 1630 hours (08/08/03). Deputy Burwell was aware that deputies were looking for Suspect Kueck. Deputy Burwell is a K-9 handler and had his dog with him at the containment point. He was placed in this position so he could deploy his dog, if the suspect attempted to escape.

Deputy Burwell said he was at his containment position, standing behind the open door of a patrol car, when someone broadcast over the radio that a gunshot was heard. Deputy Burwell did not hear the gunshot, but Sergeant Barth told him that he (Barth) heard it. A few minutes later Deputy Burwell heard an additional gunshot. He heard another gunshot a few minutes after that shot.

Deputy Burwell saw the ARV using the ram to deploy gas into the structures. He saw the ARV leave, then return and deploy gas into the southwest shed. The ARV left again and returned to the northwest shed. The ARV knocked down the northwest shed. Deputy Burwell heard gunfire during the time the ARV was near the northwest shed. The ARV left the location at which time Deputy Burwell heard additional gunfire and then bullets "whiz" by them. Sergeant Barth advised that he saw a muzzle flash coming from the northwest shed. Sergeant Barth fired one or two shots from his "Colt" M4 Commando at the shed, in the direction of the muzzle flash.

Deputy Burwell said he saw a puff of smoke and a flash coming from the northern area of the northwest shed. He heard gunshots that sounded like .223 caliber. Deputy Burwell said he feared for his safety because he knew that caliber firearm could reach their containment position. He believed the suspect fired six to eight rounds at them. Fearing the suspect was trying to kill them, Deputy Burwell fired eight to ten rounds from his Department issued AR-15 (.223 caliber) at the suspects location. As Deputy Burwell returned fire, a San Bernardino County Sheriff's Department armored vehicle was driven to their containment point which they used as cover from the suspect's gunfire. Deputy Burwell saw the ARV drive near the suspects location and was now stopped between the suspect and his containment position. He felt the position of the ARV blocked the suspect's ability to fire at their containment point. Deputy Burwell heard additional gunfire and believed the deputies in the ARV were engaging Suspect Kueck in gunfire.

At some point during the tactical operation, Deputy Burwell remembers hearing "flash-bangs" deployed into the shed. Sometime during the tactical operation, he saw that the shed had caught fire and began to burn. He could not see what happened or how the shed caught fire. Deputy Burwell said the other structures caught fire and they all burned down.

Deputy Burwell said he held his containment position as deputies in the ARV and K-9 units searched for the suspect. He said deputies advised that they had located the burnt remains of Suspect Kueck in the northwest shed. Deputy Burwell said he checked the shed and saw the barrel of a rifle laying next to Suspect Kueck. The barrel of the rifle was pointed in the direction of Deputy Burwell's containment position.

Sergeant Guilbault, Robert

On August 11, 2003 at approximately 1223 hours, Sergeant Corina and Sergeant Winters of Homicide Bureau interviewed Sergeant Guilbault at Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #52). The following statements are summarized from this interview.

On August 08, 2003, Sergeant Guilbault was at the Special Enforcement Bureau when he received information that Palmdale Station reported that Suspect Kueck was in the area of [redacted] East Avenue R, in the City of Llano. Palmdale Station personnel had contained the area pending the arrival of a Special Weapons Team.

Sergeant Guilbault responded to the command post along with SEB personnel. Two long rifle positions were deployed along with additional containment and perimeter personnel. The Los Angeles Police Department's Armored Rescue Vehicle (ARV) arrived and Sergeant Guilbault assigned SEB personnel to the ARV. He utilized the ARV to relieve containment personnel from Palmdale Station and replaced them with SEB personnel. SEB personnel were positioned approximately 75 to 100 yards away from the location, on the southwest, northwest, northeast and southeast corners. These positions had little or no cover available, so each position was provided a patrol car for cover and concealment.

Once the containment positions were in place the ARV returned to the command post to formulate a plan. Sergeant Guilbault received information from Palmdale station personnel that Suspect Kueck had taken refuge in one of the sheds/out buildings located on the property ([redacted] East Avenue R). He was also receiving updated information regarding Suspect Kueck's state of mind during the incident. Sergeant Guilbault believed that Homicide personnel were communicating with Suspect Kueck, either by telephone or by the Sheriff's radio that Suspect Kueck took from Deputy [redacted]

Sergeant Guilbault said he would update personnel inside the ARV when he received information regarding Suspect Kueck. Suspect Kueck claimed that he was not on the property, but was 1000 yards away watching what the deputies were doing. Sergeant Guilbault said there were five separate structures on the property and he believed Suspect Kueck was occupying one of them. The decision was made to introduce "hot gas" into the buildings and attempt to "flush" Suspect Kueck out. A burn safe was attached to the ram on the ARV. The burn safe would allow the deployment of the gas and prevent causing a fire in the buildings.

Prior to deploying gas into the buildings, the ARV's P.A. system was used to make announcements, advising Suspect Kueck to surrender. These announcements were made for approximately twenty minutes and were audio taped. After no response from Suspect Kueck, gas was deployed into each location. Sergeant Guilbault said additional P.A. announcements were made requesting Suspect Kueck to surrender, each time gas was deployed into a structure.

At one point during the deployment of gas into the front house, the burn safe caught fire. The burn safe was removed to prevent the house from catching fire. Sergeant Guilbault said Deputy Rector then hand delivered a "Tomahawk" hot gas device into the house. The ARV retreated and a new burn safe was installed onto the ram. The ARV returned to the location and gas was deployed into the northwest shed.

Sergeant Guilbault said, once the gas had been dispersed into all the buildings, Suspect Kueck had yet to surrender. The next step in the operational plan was to take down the walls of the building in order to immobilize the suspect's movements. As the walls on the northwest shed were being torn away by the ARV's ram, the roof partially collapsed. Sergeant Guilbault said there was sufficient room under the collapsed roof to allow someone to still move freely in the shed.

The ARV began to move so they could take down the walls of the next shed. As the ARV moved a gunshot was heard. Sergeant Guilbault said he did not hear the gunshot and he did not know who reported hearing one. As the ARV began tearing down the walls of the southern most shed, Sergeant Guilbault heard multiple gunshots. He believed the gunshots were coming from the suspect. Sergeant Guilbault was unable to determine where the gunshots were coming from. Once four or five shots were fired, one of the long rifle positions reported seeing the signature of gun smoke coming from the northeast corner of the northwest shed where the roof had collapsed.

Sergeant Guilbault said that SEB personnel inside the ARV focused their attention on this northwest shed. Someone (unknown) inside the ARV also reported hearing gunshots and seeing gunshot smoke coming from this shed. Sergeant Guilbault said Deputy Demello and Deputy Chase returned fire at the suspect from the gun ports on the passenger side of the ARV. He said both Deputy Demello and Deputy Chase were shooting "Colt" Commandos (.223 caliber). Sergeant Guilbault did not know how many rounds the deputies fired.

At some point during the exchange of gunfire Deputy Chase's gun malfunctioned. Sergeant Guilbault said he then stepped up to the first gun port on the passenger side of the ARV and returned fire at the suspect. Sergeant Guilbault said he fired 27 rounds of 9mm from his "MP-5."

Sergeant Guilbault said the ARV retreated to reloaded and obtain more gas canisters. He said the long rifle positions were advised to watch the suspects position. When the ARV returned to the northwest shed, Sergeant Guilbault said he directed Deputy Rector to hand deliver hot gas from the ARV's turret. As Deputy Rector deployed the gas, Suspect Kueck began firing his weapon. Sergeant Guilbault said he knew the suspect was armed with an assault rifle that fires .223 caliber ammunition. Sergeant Guilbault said this type of weapon could fire long distances. He also knew these rounds had a high penetration ability and feared the suspect was firing at the ARV. Sergeant Guilbault also heard at least two rounds strike the ARV. It sounded like some of the rounds were "skipping up" under the ARV.

Sergeant Guilbault said deputies inside the ARV returned fire and Deputy Rector fired a gas cannister at the shed from a shotgun launcher. This cannister missed so Deputy Rector hand delivered two more gas cannister's onto the shed. The gas appeared to have no effect on Suspect Kueck as he continued to fire. Sergeant Guilbault then directed Deputy Rector to deploy two flash bangs onto the shed to try to flush out the suspect. The flash bangs were also ineffective.

Sergeant Guilbault said he and Lieutenant Maxwell came to the conclusion that the tearing down of the shed and the deployment of hot gas and flash bangs were not effective in forcing Suspect Kueck to surrender. He said they made the decision to drive the suspect out by setting the shed on fire. Sergeant Guilbault said he directed Deputy Rector to deploy two road flares on to the shed. The shed caught fire and began to burn. As the shed was burning, Sergeant Guilbault said he heard sporadic gunfire coming from the shed. Deputies inside the ARV returned fire at the suspect. Sergeant Guilbault directed the ARV to pull away from the shed and take a position where they could better observe the suspect if he exited the shed.

> ***IAB Note: Lieutenant Maxwell identified positions of the ARV on two separate images of the location (Refer to Exhibit #B).***

There was a report from a Palmdale Station deputy that the suspect was seen running from the shed, however, Sergeant Guilbault said he did not see anyone exit the shed. Based on the information that the suspect may have exited the shed, the ARV was repositioned to better view the location. The fire continued to burn and spread to all the other structures. Sergeant Guilbault said he could hear live rounds "cooking off" in the fire.

Once the structures had burned an area search for Suspect Kueck was conducted, with the use of Sheriff's K-9 units. When the search team reached the northwest shed, Sergeant Guilbault saw what appeared to be a burned human body (Kueck) lying in the burnt remains of the shed. He also saw an assault rifle under the body, with the barrel pointed in a westerly direction.

Sergeant Guilbault said that the two LAPD officers did not shoot their weapons nor did Deputy Williams, Deputy Schlegel or Lieutenant Maxwell. Sergeant Guilbault believes that Deputy Rector only delivered ordinance and did not shoot a firearm.

Sergeant Guilbault provided Homicide investigators with a mini audio cassette of the taped announcements made by SEB personnel (Refer to Audio Tape, Investigators File).

Follow-Up Interview:

On September 08, 2004, I (Sgt. Sutton) conducted a follow up interview with Sergeant Guilbault at the Special Enforcement Bureau. The following is a summary of that interview.

Sergeant Guilbault said that prior to his arrival at the above location the command post had already been established. He said that Lieutenant Evans was the SWAT Commander and Commander Jones was the Incident Commander. He also believes that personnel from the Crisis Negotiations Team (CNT) had not arrived yet. While at the location, Sergeant Guilbault learned that a Homicide Bureau investigator had telephone contact with the suspect.

Sergeant Guilbault said he was assigned to LAPD's ARV, along with Lieutenant Maxwell and other SEB personnel. He said he had no prior training in the ARV and this deployment was the first time he had used it in a tactical situation.

Sergeant Guilbault said he and the entire SEB team had prior knowledge that the suspect was possibly armed with a .223 caliber firearm. He said this information was based on the prior murder investigation of Deputy [redacted] Sergeant Guilbault believed that the SEB command post on East Avenue R was not to close to the suspect's location. He said a bullet from the .223 could probably reach the command post but the suspect would have to be very lucky to hit anything. He also believed that the command post was out of the suspect's view.

Sergeant Guilbault said he was directed by the command post to give 20 minutes of PA announcements to the suspect, asking him to surrender. He said after the 20 minutes of announcements and no response from the suspect , the tactical operation began. Sergeant Guilbault said hot gas was then deployed into the structures with a burns safe. Sergeant Guilbault said the burn safe caught fire and was removed. Additional gas (555) and a "Tomahawk" (gas device) were then hand deployed into the structures. At some point during the deployment of gas a single gunshot was heard and reported by containment personnel. After there was no response from the suspect the decision was made to tear down the structures (sheds). Sergeant Guilbault believes that the gas was ineffective because the shed was very well ventilated and wind was blowing the gas out.

The northwest shed was the first and only shed to be torn down. Sergeant Guilbault said that the ARV started to take heavy gunfire from the suspect after the shed was torn down. He said additional gas was hand delivered into the shed but the suspect continued to fire. Sergeant Guilbault said that deputies in the ARV did not return fire until Deputy Conner, who was on a containment point, relayed the suspect's position. He said the suspects position was identified by gun smoke coming from under the partially collapsed shed. Once the suspect's location was determined, the deputies in the ARV returned fire.

Sergeant Guilbault said the ARV returned to a staging position to re-arm. At that point a box of road flares was loaded onto the ARV by Deputy Chris Young (Emergency Services Detail). The ARV then returned to the target location. Upon arriving at the suspect's location, Deputy Garay, who was on a containment position reported that the suspect was shooting at the ARV. At this point Deputy Rector was holding a road flare and Lieutenant Maxwell said "hold on." Sergeant Guilbault said he and Lieutenant Maxwell had a brief discussion. Lieutenant Maxwell authorized that the flares be deployed onto the suspect's location. Sergeant Guilbault said the purpose of deploying the flares was to start the suspect's location (shed) on fire. The fire would then force the suspect out where he could be seen and hopefully taken into custody.

Sergeant Guilbault believed that the decision to deploy the flare was their only option. He believed if swift action was not taken the suspect was going to kill someone. Sergeant Guilbault said that the tactical steps taken prior to deploying the flare had all been previously approved by the command post personnel. He said that because Lieutenant Maxwell approved the deployment of the flares, there was not a need or time to get approval from the command post.

> ***IAB Note: Sergeant Guilbault identified positions of the ARV on an image of the location (Refer to Exhibit #B).***

Sergeant Guilbault had no knowledge of a prior plan to deploy flares and he does not know why they were originally loaded onto the ARV by Deputy Young. He believes that Deputy Rector probably reached into the flare box and retrieved the flare himself. Sergeant Guilbault said that Deputy Rector would not have deployed the flare without approval from Lieutenant Maxwell or himself (Guilbault).

Sergeant Guilbault said he was not aware of any press conference comments made by Department Executives, referring to the suspect's capture. He also said, had he known of the comments, they would not have influenced his decision making.

Sergeant Guilbault said after the incident he looked through the scene. He observed a large propane tank that had several bullet strikes on it. Sergeant Guilbault said those bullet strikes were not from SEB personnel (Refer to Photograph, Exhibit #H). He believed that the suspect was shooting at the propane tank, attempting to cause a massive explosion. Sergeant Guilbault said if the suspect was successful in exploding the tank it would have cause death and injury to law enforcement personnel at the scene.

Sergeant Guilbault said attempts were made by himself and Lieutenant Maxwell to determine how Deputy Rector obtained the road flares from their box prior to deploying them. He said several meeting were held with SEB personnel who were inside the ARV during the incident. Sergeant Guilbault said no one, including Deputy Rector would admit any knowledge as to how Deputy Rector obtained the flares. He said that LAPD personnel, that were onboard, could not have given Deputy Rector the flares because of there seating position. Sergeant Guilbault said this information was presented to Captain Spencer and an IAB investigation was not requested.

SWORN EMPLOYEE WITNESS STATEMENTS:

Lieutenant Maxwell, Patrick

On August 11, 2003 at approximately 1406 hours, Sergeant Corina and Sergeant Winters of Homicide Bureau interviewed Lieutenant Maxwell at the Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #57). Sergeant Berg from Internal Affairs Bureau was present during the interview. The following is a summary of that interview.

Lieutenant Maxwell said on August 08, 2003, he was at the Special Enforcement Bureau office when he received a telephone call from Commander Jones. At the request of Commander Jones, Lieutenant Maxwell activated a full team and responded to [redacted] East Avenue R in Llano, where they believed Suspect Kueck was seen.

Lieutenant Maxwell said he encounter LAPD's ARV which was also en route to Llano. Lieutenant Maxwell said he assisted the ARV to the location by blocking intersections as they drove with emergency lights and sirens. He believes they arrived at the command post at approximately 1300 hours. It was Lieutenant Maxwell's understanding that Suspect Kueck was armed with a .223 caliber assault rifle and Deputy [redacted] 9mm handgun. He felt the ARV would provide SEB personnel with the best opportunity for protection from those types of weaponry.

Prior to arriving at the command post, Lieutenant Maxwell said several long rifle teams had been deployed. Lieutenant Maxwell and approximately seven (7) other SEB members boarded the ARV and were placed at containment positions around the perimeter of the location. Lieutenant Maxwell said the open desert provided little cover from a .223 round. Once the containment personnel were in position they backed away from the location and began to formulate a plan.

Lieutenant Maxwell said he received information that Suspect Kueck was seen by a Sheriff's helicopter running into a shed at the location. He said announcements were made over a public address system for Suspect Kueck to surrender. These announcements were made for "a couple of hours" while the containment was being established.

The ARV was positioned in front of the location when a single gunshot was heard. Lieutenant Maxwell believed that this gunshot may have been the suspect committing suicide. Lieutenant Maxwell then received information that Homicide investigators were talking to the suspect's [redacted] and the suspect on a cell phone. He then realized that the suspect had not committed suicide.

Lieutenant Maxwell was advised by Homicide Investigator Lillienfield that Suspect Kueck told investigators he was about 1000 yards away, in the desert watching deputy personnel. Lieutenant Maxwell felt that the Sheriff's helicopter would have seen the suspect had he exited the shed. Additional K-9 units were requested in case the suspect was not found in any of the structures and a search in the desert was necessary.

Lieutenant Maxwell said that hot gas was deployed from a burn safe that was attached to the ram on the ARV. The gas was successfully deployed into the house and two sheds with no response from the suspect. At one point during the operation the burn safe caught fire and Deputy Rector hand delivered a "Tomahawk" hot gas device into the house.

Lieutenant Maxwell said the deployment of chemical agents were having no affect on the suspect and the decision was made to tear down the sheds using the ARV's ram. They knocked down the northwest shed first. After knocking down this shed, Lieutenant Maxwell made PA announcements, advising Suspect Kueck to surrender, come out of the shed and he would not be harmed.

The ARV backed out of the location and the burn safe was reloaded with hot gas. While loading the burn safe a bullet strike was observed on the driver's side of the ARV, indicating they had been shot at by the suspect. Lieutenant Maxwell believed this gunshot occurred when they were tearing down the shed and never heard the shot.

The ARV then drove to the south side of the southwest shed. The passenger side of the ARV was facing the shed when they realized the suspect was shooting at them. Lieutenant Maxwell heard several gunshots and heard bullets striking the ARV. Deputy Rector and Deputy Demello identified where the suspect was shooting from, under the collapsed northwest shed. One of the deputies reported seeing gun smoke coming from a rifle barrel and another deputy reported seeing a muzzle flash. Deputy Demello and another deputy returned fire at the suspect from the ARV. They provided cover fire while Deputy Rector deployed hot gas from a shotgun launcher at the shed. The suspect continued to shoot at them and the ARV drove to the west side of the southwest shed where they tried to pinpoint the suspect's location.

Lieutenant Maxwell said SEB personnel would rotate firing from the gun ports of the ARV. When one deputy ran out of ammunition another deputy would take his position. He said the deputies firing from the gun ports would provide cover fire while Deputy Rector would deploy hot gas from the ARV's turret. Lieutenant Maxwell said he also saw Deputy Rector fire his weapon from the turret.

Lieutenant Maxwell said he felt relatively safe inside the ARV, but felt the suspect could get a lucky shot by penetrating one of the gun ports and injure or kill one of the ARV personnel. He also feared for the safety of the deputy personnel on the containment positions, knowing they did not have sufficient cover from the suspect's .223 caliber rifle. Lieutenant Maxwell also believed the command post was within the suspect's range, at less then one mile away over flat terrain.

Lieutenant Maxwell said they (He and Sergeant Guilbault) decided to deploy a road flare on the northwest shed and cause it to catch fire. The fire would hopefully force the suspect out in the open where they could see him. Deputy Rector hand delivered a flare from the turret of the ARV. The northwest shed caught fire and began to burn. The fire spread to the other sheds and the house. The ARV backed up to the south side of the location so they could better see if the suspect exited the shed.

Lieutenant Maxwell said no rounds were fired by deputy personnel after the fire started. He said rounds were going off but he could not tell if they were fired by the suspect or were cooking off in the fire. Lieutenant Maxwell said he requested the fire department to respond and attempt to keep one of the houses from catching fire. They refused to respond and he requested a water drop from a helicopter, they also refused to respond to this request.

Sergeant Wilson from Palmdale Station reported seeing the suspect exit the shed and run towards the rear of the complex. Lieutenant Maxwell said none of the personnel who were watching the shed from the ARV saw the suspect exit the shed. He also said the containment positions did not report seeing the suspect exit the shed.

Lieutenant Maxwell said he returned to the command post to brief the command staff on what had occurred. He said other deputy personnel conducted a search of the area for Suspect Kueck.. Lieutenant Maxwell learned that the deceased suspect was located in the northwest shed.

Lieutenant Maxwell said that Deputies Keelin, Demello, Baudino, Plent, Rector and Sergeant Guilbault all fired their weapons. He believes they all were using "Colt" M-4 Commandos. He said Deputies Schlegel and Williams did not shoot and he was unsure if Deputy Chase had shot.

Lieutenant Maxwell said Sergeant Barth and Deputy Burwell advised him that they had fired at the suspect's location, from their containment position. Lieutenant Maxwell also learned that Deputy Clipper and Deputy Hackett had fired their weapons from their containment position.

Follow-Up Interview:

On September 02, 2004, I (Sgt. Sutton) conducted a follow-up interview with Lieutenant Maxwell at Norwalk Station. The following is a summary of that interview.

Lieutenant Maxwell said he was at SEB when he received notification of a suspect, possibly Donald Kueck had barricaded himself at the location. He said he originally heard radio traffic indicating that

Deputy [redacted] "emergency trigger" had been activated on his stolen radio. He then heard additional information that the suspect had been observed at the location by a neighbor.

Lieutenant Maxwell believes that Commander Sammy Jones telephone him and requested a team respond to the location. Lieutenant Maxwell said he and all of the responding SEB personnel had prior knowledge that the suspect may be armed with .223 caliber assault rifle. He said Deputy [redacted] had been murdered with a .223 caliber weapon and the weapon had not been recovered. Lieutenant Maxwell also believed that the suspect was armed with Deputy [redacted] stolen Beretta and .38 caliber revolver.

Lieutenant Maxwell said when he arrived at the location, a command post had already been established north of the suspect's location. Lieutenant Evans and other SEB personnel were already at the command post. Lieutenant Maxwell said that Commander Jones wanted this command post to be moved to the secondary command post, located at a church further north of the suspect's location. Lieutenant Evans wanted the command post to remain closer to the suspect's location. Lieutenant Maxwell said the reason to remain closer was because of the "scrambled" radio frequency they were using worked only on "line of sight." This radio frequency was selected because of the possibility of the suspect monitoring radio traffic on Deputy [redacted] stolen handheld radio. He also said this frequency would prevent the media from monitoring their radio traffic.

Lieutenant Maxwell said he learned that a Homicide detective was communicating with the suspect by telephone. He said the suspect told the detective that he (the suspect) was 1000 yards away in the open desert watching them. Lieutenant Maxwell told the command post that "going tactical" before 1700 hours to 1800 hours would be beneficial. He said this would give them time to search the location then concentrate their efforts in the open desert before darkness. This would also provide time to obtain and deploy additional resources. Lieutenant Maxwell said he was concerned because the suspect was familiar with the desert. He also learned that deputies had come within 100 yards of him when a search warrant was served on the location the day prior. The suspect was apparently hiding in the open desert.

Lieutenant Maxwell said he was assigned to the ARV at the request of Captain Spencer, who wanted a Lieutenant on the inner perimeter. Lieutenant Maxwell said the week prior to August 08, 2004, SEB personnel had used the ARV several times, searching the desert for Suspect Kueck. Lieutenant Maxwell said that SEB had no prior training in the use or capabilities of the ARV but knew it would stop up to a 50 caliber round. Lieutenant Maxwell said that SEB's "Peace Keeper," armored vehicle will not stop a .223 caliber round.

Lieutenant Maxwell said prior to deploying the tactical team, long rifle positions were established and patrol personnel were relieved. Lieutenant Maxwell said he requested the San Bernardino County Sheriff Department's armored vehicle, but did not know when it arrived. He does know that it arrived long after the long rifle positions had been established. Lieutenant Maxwell also had no knowledge of this armored vehicle ever being utilized.

Lieutenant Maxwell said it was difficult to recall the exact sequence of events because the incident occurred over one year ago. He also said he had been at the location between 12 and 13 hours.

Lieutenant Maxwell said the ARV was first utilized to scout the location. He said during this phase of the operation a long rifle positioned reported seeing movement, but personnel in the ARV saw none. Lieutenant Maxwell said he personally made numerous P.A. announcements, requesting the suspect to surrender. He said that CNT was not at the command post when he (Maxwell) arrived but learned they arrived when Lieutenant Ramirez (CNT) requested additional PA announcements.

Lieutenant Maxwell said that the Crisis Negotiations Team (CNT) works closely with SEB personnel and prior to going tactical they wait for CNT's approval.

Lieutenant Maxwell said he would communicate and obtain approval for each phase of the tactical operation through Lieutenant Evans. Lieutenant Evans would first discuss each phase with Commander Jones, and CNT.

Prior to going tactical and after a discussion with the command post, it was decided that hot gas would be introduced into the structures. Lieutenant Maxwell said a "burn safe" was attached to the end of the ram that was attached to the ARV. A cord was then attached to the gas canisters so they could be activated from the ARV. Lieutenant Maxwell said the burn safe was inserted and gas was introduced into the structures on the property. He said gas was successfully deployed but there was no movement or response from the suspect. At one point Lieutenant Maxwell said he saw flames emitting from the burn safe. He believes this was caused by a buildup of residue that blocked the vents.

Lieutenant Maxwell said the burn safe was pulled out of the structure fearing it would cause a fire. He said a "mini burn safe" called a "Tomahawk" was deployed into the structure. Lieutenant Maxwell said the "Tomahawk" contains hot gas, and because of it's construction can be deployed onto a combustible surface with minimal risk of causing a fire.

Sometime during the gassing phase a single gunshot was heard. Lieutenant Maxwell cannot remember if that was reported by personnel on the perimeter or by someone inside the ARV.

Lieutenant Maxwell said the next plan was to knock down the structures with the ARV's ram. He said this phase of the operation was discussed and approved by the command post. Lieutenant Maxwell said they first knocked down the northwest shed.

At this point, Lieutenant Maxwell said he had a disagreement with the command post. He said they were requesting that a team search the knocked down shed on foot with a K-9 deputy. Lieutenant Maxwell said personnel in the ARV expressed their concern with that decision because it was still not known where exactly the suspect was.

It was Lieutenant Maxwell's belief that the command post was concerned with the media coverage and the appearance of tearing down the structures with the ARV. Lieutenant Maxwell said the command post agreed that it would be to dangerous for deputy personnel to approach on foot.

Lieutenant Maxwell said he could not recall the exact route of the ARV and it was difficult to see from inside. He said when they performed a re-load and safety check, a bullet strike was discovered on the external skin of the ARV. He does not remember hearing a gunshot and he could not remember if the perimeter personnel reported hearing any gunshots at this point. After performing a re-load, Lieutenant Maxwell recalls stopping near the south edge of the southernmost sheds.

Lieutenant Maxwell said the ARV began taking heavy gunfire when they were stopped somewhere between the south side or west side of the sheds. He was not sure of the exact position because of being concealed inside the ARV. He said the long rifle positions were reporting the gunfire from the suspect. Personnel inside could hear bullets striking the ARV. Lieutenant Maxwell said personnel inside the ARV returned fire where they believed the suspect was shooting from.

Lieutenant Maxwell said he did not direct any of the perimeter deputies to change positions. He said they were "committed" and moving may expose their position to the suspect. He said the perimeter deputies were utilizing patrol cars as cover.

Lieutenant Maxwell said that during a tactical operation all decisions that are "static" are approved by the command post. He said when the situation becomes "dynamic" the decision making rests with the tactical team. Lieutenant Maxwell said the suspect was a very active shooter and return fire from deputy personnel failed to "neutralize" him.

Lieutenant Maxwell later learned that the rounds fired by personnel in the ARV were striking the southwest shed. Lieutenant Maxwell believes that the suspect was firing from the northwest shed and through the southwest shed. Lieutenant Maxwell feared that a round from the suspect could enter the ARV through one of the gun ports and kill or injure someone. He also feared for the safety of the perimeter personnel.

Lieutenant Maxwell said the location of SEB's command post became a concern when it was determined where the suspect was shooting from. He said the distance from the suspects location to the command post was within the range capabilities of a .223 caliber weapon.

Lieutenant Maxwell said at some point during this active gunfire, he saw that Deputy Rector was beginning to light a flare in the ARV's turret. Lieutenant Maxwell said he made eye contact with Sergeant Guilbault and gave him a "time-out" signal. Sergeant Guilbault told Lieutenant Maxwell that "we need to do something, this guy is going to kill someone." Lieutenant Maxwell said "okay" and gave Sergeant Guilbault the "thumbs-up" signal.

Lieutenant Maxwell said he made this decision without approval from the command post. He said the suspect was an active shooter and lives were in jeopardy. He said the reason for deploying the flare was to start a slow fire. Lieutenant Maxwell said the flare was not deployed as lethal force but as a tactic to try and force the suspect out of the shed by taking his cover away. Once exposed they could hopefully take him into custody or neutralize him.

Lieutenant Maxwell said that a minimum of a "couple" of minutes would be needed to make a request through the command post to deploy the flares. He added that he has seen requests in other operations take up to 30 minutes. He felt he did not have time to request the deployment of the flares and proceed with deploying them.

Lieutenant Maxwell believes that the ARV was positioned on the west side of the southwest shed when the decision was made to deploy the flares. Lieutenant Maxwell said he had no prior knowledge of flares being onboard the ARV. He said the initial decision to deploy them was made by other unknown personnel in the ARV.

> ***IAB Note: Lieutenant Maxwell identified positions of the ARV on an image of the location (Refer to Exhibit #C).***

Lieutenant Maxwell said he requested a water drop onto the fire by the Los Angeles County Fire Department. He said they declined to respond due to the fear the suspect was not captured and could shoot at the helicopter. Lieutenant Maxwell said he made his request based on the fact the fire had been burning for some time and the suspect should have exited the shed. He also feared that the main house could catch fire. Prior to deploying the flares, Lieutenant Maxwell said he did not consider contacting the fire department to ascertain if they would respond to extinguish the fire. He said he already knew the answer would be no, because "they will not come in to something like that."

Lieutenant Maxwell said when the suspect did not exit the shed he (Maxwell) believed he may have committed suicide or he may have been trapped under the collapsed debris.

Lieutenant Maxwell said he had "heartache" the next few days over where the flares came from and who supplied Deputy Rector with the flares. Lieutenant Maxwell said he asked Deputy Rector and other SEB members who gave him the flare. He said "to this day nobody will cop out who gave him the flare." Lieutenant Maxwell said he asked the Unit Commander (Captain Spencer) to initiate an Internal Affairs Bureau investigation.

Lieutenant Maxwell believes that Deputy Rector did not know who gave him the flares. He said Deputy Rector was up in the turret of the ARV and probably did not see who handed him the flares. Lieutenant Maxwell said Deputy Rector told him if he knew who gave him the flare he would tell him. Lieutenant Maxwell said he was "shut down" for his Internal Affairs request.

Lieutenant Maxwell said there was a de-briefing on this incident with SEB supervision and personnel. He said all were in agreement that the use of the flares was proper. Lieutenant Maxwell said there was discussion regarding the position of SEB's command post and the long rifle positions. He felt that after reviewing the incident, personnel were probably positioned a little to close to the suspect's location.

Lieutenant Maxwell said he was not aware of any comments made by Department Executives at press conferences during this operation. He also said, had he known of any comments made, they would not have influenced his decision making.

Deputy Williams, Joseph

On August 11, 2003 at approximately 1505 hours, Sergeant Corina and Sergeant Winters of Homicide Bureau interviewed Deputy Williams at the Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #60). I (Sergeant Sutton) was present during the interview. The following is a summary of that interview.

Deputy Williams is assigned to the Special Enforcement Bureau as a K-9 dog handler. On August 08, 2004, he responded to [redacted] East Avenue R, Llano in regards to Suspect Kueck being seen at the location. Deputy Williams said he was deployed with other members of SEB in LAPD's ARV. He said they had information that Suspect Kueck was hiding in one of the structures at the location.

After the area was contained hot gas was deployed into the structures. Deputy Williams said he believed that some of the sheds had collapsed as a result of the gas being deployed. He said when the ARV took a position south of the sheds he heard gunfire. The gunfire stopped then started again, at which time he heard bullets striking the ARV. He said no one in the ARV returned fire at this point because the suspect's location had not been identified.

When the suspect fired again personnel in the ARV saw smoke coming from the northwest shed. It appeared that the suspect was firing from the front portion of the shed. Once the suspect's position was determined, deputies inside the ARV returned fire from the two gun ports on the passenger side of the ARV.

Deputy Williams said Deputy Demello and Deputy Chase first engaged the suspect in gunfire. He also believes that Deputy Baudino fired at the suspect but was unsure who else fired their weapons. Deputy Williams also recalls Deputy Rector being positioned in the turret of the ARV, but did not know if he fired his weapon.

When the deputies stopped firing to assess the situation Deputy Williams heard the suspect continue to fire at them. He heard two or three bullets strike the ARV. Deputy Williams said it sounded like the suspect was shooting rapidly. He said deputies in the ARV returned fire as hot gas was deployed into the suspect's location. Deputy Williams said he did not see how the hot gas was deployed because he was trying to control his dog.

Deputy Williams said at this point they backed out of the situation and returned to a containment position to reload ammunition and reassess the situation. Once they reloaded, the ARV returned to the suspect's location. Deputy Williams believes the suspect fired at them several times and the deputies returned fire from the ARV. He said gas was again inserted into the suspect's location and the shed began to burn. The ARV backed away from the shed so they could have a better view if the suspect exited. Deputy Williams said the suspect never exited the shed.

Deputy Williams said the other structures caught fire and burned. At one point, Palmdale Station personnel reported seeing the suspect exit the shed and run towards another structure. An area search was conducted for the suspect. Suspect Kueck's remains were found in the burned shed. He also saw the barrel of a rifle in the ashes. The barrel was pointed in the direction of the containment position that had been manned by Sergeant Barth and Deputy Burwell.

Deputy Garay, Ralph

On August 11, 2003 at approximately 1400 hours, Sergeant Brackpool and Investigator Barron of Homicide Bureau interviewed Deputy Garay at the Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #29). I (Sergeant Sutton) was present during the interview. The following is a summary of that interview.

On August 08, 2003, Deputy Garay arrived at the command post in Llano and began gathering information regarding the incident. He said an informant advised Palmdale Station that a male (Suspect Kueck) was seen entering a structure at the location ([redacted] East Avenue R). Palmdale Station responded with Aero Bureau and set up a containment of the area. A male was seen by deputy personnel enter a structure and did not come back outside.

Deputy Garay said LAPD's ARV arrived at the command post. SEB personnel were then deployed to various containment positions, utilizing the ARV. He said he was assigned to containment position #2A with Deputy Bones. They were responsible for the west and north side of the location. Deputy Garay said once the containment positions were established, personnel in the ARV began deploying gas into the structures. He said at some point during the operation, one of the structures collapsed.

Deputy Garay said the ARV drove away to reload with gas then returned, stopping between the main house and first shed. While the ARV was positioned there a "pop" was heard. Deputy Garay said he was approximately 140 yards away and the "pop" resembled the sound of a 9mm handgun being fired. A roll-call was conducted to insure that no deputy personnel had been injured. He then heard approximately four to five gunshots which also sounded like a 9mm handgun.

Deputy Garay said he was advised by Deputy Plent, who was in the ARV, to move their containment position because it appeared that the suspect was shooting in their direction. Deputy Garay and Deputy Bones relocated their position. Deputies in the ARV provided cover fire as they moved and the suspect returned fire.

Deputy Garay said the deputies used "various tactics" in an attempt to force the suspect to surrender. The suspect did not surrender and continued to shoot at the deputies.

Deputy Garay said he later learned that Suspect Kueck was found dead, under the collapsed shed. Deputy Garay did not fire his weapon during the incident.

Deputy Aleman, Daniel

On August 11, 2003 at approximately 1455 hours, Sergeant Brackpool and Investigator Barron of Homicide Bureau interviewed Deputy Aleman at the Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #32). I (Sergeant Sutton) was present during the interview. The following is a summary of that interview.

On August 08, 2003, at approximately 1300 hours, Deputy Aleman said he was assigned to containment position #3, along with Deputy Stella and Deputy Hayes. He said they were responsible for maintaining security for that area.

Deputy Alemean said the LAPD, ARV drove into the location and an intense gun fight ensued. He looked through his binoculars and was able to see the suspect firing from under the collapsed shed. Deputy Aleman said the roof was not completely collapsed and he could see smoke that resembled gunfire. He said the gunfire appeared to be directed at the ARV. Deputy Aleman advised the deputies inside the ARV that he could see rounds striking the ARV and possibly the tires.

Deputy Aleman said he did not fire his weapon during the incident and had nothing else to add.

Deputy Wilber, Michael

On August 11, 2003 at approximately 1550 hours, Sergeant Brackpool and Investigator Barron of Homicide Bureau interviewed Deputy Aleman at the Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #31). I (Sergeant Sutton) was present during the interview. The following is a summary of that interview.

On August 08, 2003, Deputy Wilber responded to the incident command post and was assigned to the San Bernardino County Sheriff's Department's armored vehicle. His assignment was to provide support for the containment positions, utilizing the armored vehicle.

Deputy Wilber said when gunshots were heard he responded, with the armored vehicle to the containment position that was manned by Sergeant Barth, Deputy Burwell and Deputy Hackett. The armored vehicle was used to provide cover for the deputies at this position. When Deputy Wilber exited the armored vehicle he said it sounded as if the deputies inside the ARV were exchanging gunfire with the suspect. Deputy Wilber said he pulled the armored vehicle up to rescue the deputies. He then saw Deputy Burwell fire three shots from his AR-15 rifle, at the suspect's location.

Deputy Wilber said he maintained his position during the incident and did not fire his weapon.

Deputy Schlegel, Richard

On August 11, 2003 at approximately 0730 hours, Sergeant MacArthur and Sergeant Marsh of Homicide Bureau interviewed Deputy Schlegel at the Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #45). I (Sergeant Sutton) was present during the interview. The following is a summary of that interview.

On August 08, 2003, Deputy Schlegel responded to the incident command post by helicopter with other SEB personnel. Upon arriving he said he was assigned to LAPD's ARV with other SEB personnel. He said a tactical plan was developed to force the suspect out of the structures at the location by introducing chemical agents. Deputy Rector was assigned to deploy the chemical agents and Deputy Schlegel was to assist him as needed.

During the deployment of the chemical agents Deputy Schlegel said he heard a single gunshot, then heard other personnel advise that the ARV was being shot at by the suspect. He soon heard additional gunfire and could see muzzle flashes coming from the partially dismantled, northwest shed.

Deputy Schlegel said all efforts were used to force the suspect to surrender but he refused to do so. He said an additional plan was approved to use road flares to ignite the shed and force the suspect out. The road flares were deployed and the shed began to burn. Deputy Schlegel said the other structures also began to burn and he never saw the suspect exit the shed.

A search of the area was conducted based on reports that the suspect was seen leaving the shed. The suspect's remains were located in the burnt shed and Deputy Schlegel saw an assault rifle laying across the remains.

Deputy Schlegel said he did not fire his weapon and had nothing more to add.

Lieutenant Ramirez, Andres

On September 4, 2003 at approximately 1408 hours, Sergeant Winters and Sergeant Corina of Homicide Bureau interviewed Deputy Schlegel at the Special Enforcement Bureau (Refer to Homicide Book, Exhibit #A, Page #86). I (Sergeant Sutton) was present during the interview. The following is a summary of that interview.

Lieutenant Ramirez is a member of the Crisis Negotiations Team. On August 08, 2003, he and his team responded to the incident command post at the request of Lancaster Station. Upon his arrival he learned that Suspect Kueck had been in contact with his [redacted] and the calls were being monitored by Homicide Bureau investigators.

While at the command post, Suspect Kueck had activated the "emergency trigger" on the Sheriff's handheld radio he had take from Deputy [redacted] (Refer to Photograph, Exhibit #K). Lieutenant Ramirez said he assigned one of his team members to monitor the radio.

After SEB had deployed into the location, Lieutenant Ramirez said he assigned CNT team members to make attempts at contacting the suspect by telephone. They were unsuccessful with their attempts to contact him. A short time later, Lieutenant Ramirez said shots were fired and he moved his team to the secondary command post, further away from the suspect's location. Lieutenant Ramirez said he remained at the SEB command post as his team continued efforts to contact Suspect Kueck from the secondary command post.

> ***IAB Note: Lieutenant Ramirez provide a copy of the Crisis Negotiation's Team Incident Sheet. This sheet indicates the actions his team took and the contact attempts that were made(Refer to Homicide Book, Exhibit #A, Page 145-147).***

Follow-Up Interview:

On August 26, 2004, I (Sgt. Sutton) conducted a follow up interview with Lieutenant Ramirez at the Crisis Negotiations Unit. The following is a summary of that interview.

Lieutenant Ramirez said upon arriving at the command post he learned that there was some type of telephone communication between the suspect and a Homicide investigator. Lieutenant Ramirez said that CNT personnel attempted to contact the suspect on his (suspect's) cell phone. Unknown to CNT personnel, Homicide Bureau was monitoring all incoming and outgoing calls from the suspect's cell phone. Because CNT's phone number was identified as telephone activity, Homicide Bureau investigators called the number not knowing who it was. After a brief conversation Homicide Bureau discovered that the call was coming from CNT personnel. This conversation was logged in the "CNT Log Sheet" (Refer to Homicide Book, Exhibit #A, Page #147, 1840 hours).

Lieutenant Ramirez said he requested that CNT take over communications with the suspect after Homicide investigators had their conversation. He said he advised Homicide Bureau not to call the suspect so they could attempt to call him. Lieutenant Ramirez said he received acknowledgment for his request from Lieutenant Evans and Commander Jones. He was then told the information was relayed to Detective Lillienfeld who was having phone contact with the suspect. Lieutenant Ramirez said he was at the location approximately 90 minutes before he made this request. During this 90 minutes he said he was gathering and relaying information to CNT personnel.

Lieutenant Ramirez said CNT personnel attempted to make calls to the suspect but never established contact. Lieutenant Ramirez also believes that there was no more phone contact between the suspect and Homicide investigators.

Lieutenant Ramirez said he worked directly with Lieutenant Evans and Commander Jones for the duration of this incident. He said several attempts were made to contact the suspect but the calls went unanswered. Lieutenant Ramirez said "shots were fired" within an hour after his request was made to Homicide investigators not to call the suspect.

When the command post was advised that the suspect was firing, Lieutenant Ramirez said he agreed with Lieutenant Evans for SEB personnel to "go tactical." Lieutenant Ramirez said he advised Lieutenant Evans that CNT personnel would continue to make attempts at contacting the suspect during the tactical phase of the operation.

Lieutenant Ramirez said if contact was made with the suspect, his actions would dictate whether or not the tactical portion of the operation would cease. He said this would have been a collective decision between Lieutenant Evans, Commander Jones and himself, however contact with the suspect was never established.

Lieutenant Ramirez said he considered sending a CNT negotiator to the suspect's [redacted] home to speak with the suspect. He said he began to coordinate this response but the tactical operation had begun, and no one was sent.

Lieutenant Ramirez said he was never discouraged in his plans to negotiate with the suspect and had "very good" support from Lieutenant Evans. Lieutenant Ramirez said he and Lieutenant Evans shared their plans and deferred their plans to Commander Jones, who approved them. Lieutenant Ramirez said he heard a rumor that SEB was not cooperating with CNT. He said that this rumor is not true and there was never an objection from Lieutenant Evans or other command staff with any requests made by CNT.

Lieutenant Ramirez said he was not aware of any comments made by Department Executives at press conferences during this operation. He also said, had he known of any comments made, they would not have influenced his decision making.

Detective Lillienfeld, Mark

The following statements are summarized from the supplemental report submitted by Detective Lillienfeld (Refer to Homicide Book, Exhibit #A, Page 70).

On August 08, 2003, at approximately 1408 hours, Detective Lillienfeld responded to the home of [redacted] located at [redacted]. Ms. [redacted] is the [redacted] of Suspect Kueck.

Detective Lillienfeld said, when he arrived at Ms. [redacted] home [redacted] was speaking to Suspect Kueck on the telephone. Suspect Kueck told Ms. [redacted] that he had been attempting to contact the Los Angeles County Sheriff's Department via the handheld radio he had stolen from Deputy [redacted]

Detective Lillienfeld said he contacted Homicide Detective Phil Guzman to advise that Suspect Kueck wanted to speak to a member of the Sheriff's Department. Detective Lillienfeld said he was instructed to speak with Suspect Kueck over the telephone. At approximately 1410 hours, Detective Lillienfeld began a telephone conversation with Suspect Kueck. Suspect Kueck told Detective Lillienfeld that his (Kueck's) cell phone was dying and he was unable to charge it.

During the conversation, Suspect Kueck was intent on trying to talk on the handheld radio. Detective Lillienfeld told Suspect Kueck that he would be treated properly if he surrendered peacefully. Suspect Kueck expressed his dissatisfaction with how he was treated while incarcerated in the Riverside County Jail system. He also indicated that he did not mind going to "death row" but wanted to be treated properly and be housed in a warm cell.

Detective Lillienfeld said Suspect Kueck went on to discuss the incident involving Deputy [redacted] Suspect Kueck believed that Deputy [redacted] was sent to his location by a neighbor to harass him (Kueck). Suspect Kueck said Deputy [redacted] was agitated and kept stepping towards him (Kueck). Suspect Kueck said he first shot Deputy [redacted] in the side, where his body armor was located. Suspect Kueck said he told Deputy [redacted] to stop approaching him. He said he intended to stun the deputy by shooting him in the body armor and knocking him down. Suspect Kueck also said he repeatedly asked Deputy [redacted] why he was there, but the deputy refused to answer.

Detective Lillienfeld again told Suspect Kueck that his safety and well being was guaranteed, if he surrendered peacefully. Suspect Kueck responded by complaining about the food he was served while housed at the Riverside County Jail. He also complained about being housed with "Crip" gang members.

Detective Lillienfeld asked Suspect Kueck where he was. Suspect Kueck said he was in the desert but not near "[redacted]" house (location). Detective Lillienfeld said that Suspect Kueck was rambling during the conversation and said he suffered from chronic fatigue syndrome. At one point during the conversation, Suspect Kueck became upset and began crying. He said, "tell my [redacted] I love her."

Suspect Kueck continued to rant about his treatment while incarcerated in the Riverside County Jail and was intent on trying to talk on the handheld radio. During the conversation Suspect Kueck said that Deputy [redacted] stolen Beretta was somewhere in the desert but refused to say exactly where. Suspect Kueck also refused to reveal his exact location.

Detective Lillienfeld said Suspect Kueck hung up because his cell phone battery was dying. Suspect Kueck called back and said he could not get the handheld radio to work. He said he had the radio on frequency L-Tac 2, but nobody responded. The cell phone conversation then terminated.

Suspect Kueck called back a third time, still saying he was trying to talk on the radio. The cell phone conversation terminated again because of the dead battery.

Suspect Kueck then called Detective Lillienfeld back a fourth time. Suspect Kueck was fixated on the handheld radio and told Detective Lillienfeld he was trying to communicate on Mode 7 emergency channel. Suspect Kueck also said he wanted to continue to talk but he needed to recharge his cell phone.

At approximately 1520 hours, Suspect Kueck told Detective Lillienfeld that he would surrender as long as he could gain some assurances. Suspect Kueck said he would come out sometime before sundown. The suspect then ended the phone conversation when his cell phone began to die.

Suspect Kueck placed a fifth call and said he was afraid that the Sheriff's Department would be able to electronically track him if he continued to speak on the handheld radio. He also indicated he did not want to be killed or arrested before sundown. He also feared he was being lied to, but Detective Lillenfeld assured him that he would be treated properly if he surrendered. Detective Lillienfeld advised Suspect Kueck to stand up an d walk towards "[redacted]" house, where deputies would see him. Suspect Kueck said he was to tired to stand, because he has not had food or water during his days and nights spent in the desert. Suspect Kueck again focused his attention on the handheld radio. He also complained of his treatment by law enforcement over the past several years.

Detective Lillienfeld said Suspect Kueck was hesitant to speak about the murder of Deputy [redacted] He said Deputy [redacted] ordered him out of bed and to step out of his home. Suspect Kueck said he repeatedly asked Deputy [redacted] what was going on, but the deputy would not explain. This call then terminated.

Suspect Kueck called back a sixth time and Detective Lillienfeld told him to push the emergency trigger on the hand held radio and he would be able to communicate. After doing so, Suspect Kueck was still unable to communicate. Suspect Kueck went on to say that the night prior he was hiding in the desert from Sheriff's air units. He said he hid from their infrared technology by hiding under a piece of cardboard. He also said he heard deputies voices nearby in the desert. Suspect Kueck added that he was 53 years old, in very bad health and wishes he would have passed away years ago. Suspect Kueck indicated his cell phone was dying and terminated the phone call.

Detective Lillienfeld said he received a seventh and five additional phone calls from Suspect Kueck. During these calls Suspect Kueck complained of his health problems and poor treatment form law enforcement. Suspect Kueck told Detective Lillienfeld that he would resolve his status in the desert, either by killing himself or surrendering by 2000 hours that evening. Suspect Kueck said he was trying to wire the handheld radio battery to the cell phone battery to charge it.

Detective Lillienfeld said Suspect Kueck was not confident that he would be treated properly should he surrender, but Detective Lillienfeld assured him that he would. Suspect Kueck began crying and said he had "made his peace with god." Suspect Kueck told Detective Lillienfeld that when he surrenders, he would show Detective Lillienfeld where Deputy [redacted] Beretta was hidden. He (Kueck) also requested that because of his bad back, he be handcuffed in front of his body when he was arrested.

At approximately 1736 hours, Detective Lillienfeld received a thirteenth phone call from Suspect Kueck. Suspect Kueck said that the deputies were "moving in" and his cell phone was dying.

At approximately 1741 hours, Detective Lillienfeld received a fourteenth phone call form the suspect. Suspect Kueck stated "Tell those guys," then the phone cut out.

At approximately 1743 hours, Detective Lillienfeld received a fifteenth call from the suspect. Suspect Kueck indicated that his cell phone was dying and he would not be able to charge it.

At approximately 1747 hours, Detective Lillienfeld received a sixteenth phone call but the line was dead.

Detective Lillienfeld said, at exactly 1800 hours he received the eighteenth and final phone call form Suspect Kueck. Suspect Kueck said his phone would no longer hold a charge and this was the last communication Detective Lillienfeld had with the suspect.

Detective Lillienfeld said that he was monitoring the sheriff's radio and at approximately 1922 hours SEB deputies reported being shot at. At approximately 2000 hours, SEB advised that the structure was on fire where they believed Suspect Kueck was in.

Detective Lillienfeld said the entire conversation with Suspect Kueck was tape recorded (Refer to Audio Tape, Investigator's File).

Detective Velazquez, Enrique

On September 08, 2004, I (Sgt. Sutton) conducted an interview with Detective Velazquez at the Arson and Explosives Detail. The following is a summary of that interview.

Detective Velazquez said he conducted a fire investigation at the location. He prepared a report detailing his findings and opinions (Refer to Homicide Book, Exhibit #A, Page #109).

Detective Velazquez said he began his investigation the following morning (08/09/03). He said his investigation would attempt to locate "burn indicators." These burn indicators are identified by materials that are not completely burned. Deputy Velazquez said he was unable to identify any burn indicators due the fact the fire burned unsuppressed for several hours. There was no apparent attempt to put the fire out, which left no recognizable burn indicators.

Based on the fact the fire burned unsuppressed and the building had collapsed, he was unable to determine the cause of the fire. While at the scene, Detective Velazquez found items that possibly caused the fire. He found pieces of hot gas canisters and gasoline containers. He also said another possibility was that the suspect could have started the fire.

Detective Velazquez later viewed a video tape that showed SEB personnel hand delivering ordinance onto the structure. Detective Velazquez said he contacted Lieutenant Parra at SEB to ascertain what type of ordinance was hand delivered onto the structure. Lieutenant Parra told him that two road flares had been deployed onto the shed. Based on this information, Detective Velazquez formed the opinion that the fire was probably caused by the flares. He based his opinion solely on what he was told by Lieutenant Parra and what he saw on the video tape. Detective Velazquez said he found no evidence of a burned road flares inside the structure. He did say that the hot gas could have also been a causal factor.

LOS ANGELES POLICE DEPARTMENT, OFFICER'S STATEMENTS:

Sergeant [redacted]

On August 12, 2003 at approximately 1420 hours, Sergeant MacArthur and Sergeant Marsh of Homicide Bureau interviewed Sergeant [redacted] (Refer to Homicide Book, Exhibit #A, Page #47). I (Sergeant Sutton) was present during the interview. The following is a summary of that interview.

Sergeant [redacted] is a member of LAPD's Metropolitan Division, "D" Platoon. On August 08, 2003, Sergeant [redacted] responded to the incident command post, assigned as the supervisor in his Department's ARV. Sergeant [redacted] had been deployed to the Lake Los Angeles area the two days prior to assist in the search for Suspect Kueck, utilizing the ARV.

Sergeant [redacted] said that witnesses believed that Suspect Kueck was barricaded inside one of the sheds located on the property of [redacted] East Avenue R. Sergeant [redacted] primary function was to assist SEB with the use of the ARV. Sergeant [redacted] was the passenger and Officer [redacted] was the driver of the ARV.

Sergeant [redacted] said they were instructed by SEB personnel to drive the ARV to specific locations so tactical plans could be employed. He said chemical agents were introduced into the structures located on the property. Sergeant [redacted] said the ARV breached one of the sheds, which was identified as the suspects location. Sergeant [redacted] said he then heard the first of many gunshots being fired by the suspect. He also heard members of SEB return fire from inside the ARV. Sergeant [redacted] also heard bullets striking the ARV and saw where the suspect was firing from.

Sergeant [redacted] said, attempts to use additional chemical agents and gunfire to drive the suspect out failed. He then saw what he believed to be a road flare, deployed into the partially collapsed, northwest shed. Eventually the shed and other structures on the property caught fire and burned.

After the fire had burned out, Sergeant [redacted] said a search mission utilizing the ARV and K-9 Units was conducted. He said he saw what appeared to be human remains (Kueck) in the northern portion of the northwest shed. Sergeant [redacted] did not fire his weapon during the incident.

Officer [redacted]

On August 13, 2003 at approximately 1002 hours, Sergeant MacArthur and Sergeant Marsh of Homicide Bureau interviewed Officer [redacted] at Walnut Station (Refer to Homicide Book, Exhibit #A, Page #50). I (Sergeant Sutton) was present during the interview. The following is a summary of that interview.

Officer [redacted] said he was the driver of the ARV at the time of the incident and stated essentially the same as Sergeant [redacted] but added the following.

Officer [redacted] said that SEB personnel were providing cover fire while chemical agents were being deployed by the deputy in the ARV's turret. He also said that prior to this tactical operation, P.A. announcements were made in excess of 20 minutes, requesting the suspect to surrender. Officer [redacted] said additional announcements were made after the initial exchange of gunfire.

SUSPECT STATEMENTS:

Kueck, Donald

On August 08, 2003, Detective Lillienfeld obtained an audio tape from Ms. [redacted] which contained telephone conversations that she had with her [redacted] (Suspect Kueck) earlier that day. The following is a brief summary of those conversations. Refer to the Homicide Book, Exhibit #A, Page #76 for a detailed account of the audio tape.

Suspect Kueck told his [redacted] "I think they finally found me," referring to deputy personnel.

Suspect Kueck also told his [redacted] that Deputy [redacted] had come onto his property for unknown reasons and pointed a gun at his (Kueck's) head. He said Deputy [redacted] was yelling at him, "yelling bullshit." Suspect Kueck said he retrieved an assault rifle from his car and shot Deputy [redacted] in self defense. He said the deputy got angrier and angrier because he (Kueck) would not let the deputy handcuff him. Suspect Kueck said he did not want to kill Deputy [redacted] he just wanted to stop him. He said the first shot was low, he wanted to stun him or knock him down. Suspect Kueck said if law enforcement would treat people right they wouldn't get attacked. Suspect Kueck then said "They're gonna kill me, I might just shoot myself in the head to keep from being tortured."

Suspect Kueck rambled and spoke about his poor treatment while incarcerated in the Riverside County Jail. He said he was intentionally tortured and deprived of his "Motrin" while in jail. Suspect Kueck told his [redacted] that after he killed Deputy [redacted] he took his medication with him and was "stretching it out."

Suspect Kueck went on to say that police officers kill innocent people then plant guns on their victims. He said he retrieved such a gun from Deputy [redacted] person, referring to the deputy's back-up weapon. Suspect Kueck also said that the field sergeants carry "throw away guns" in their trunks, so if an innocent person is killed they can plant a gun on them.

Suspect Kueck said "I just hope I die before I kill them. They deserve it. They're gestapo. These aren't innocent men, they all cover up for each other. I'm not scared. I'm not even nervous. It was self defense. There was a gun cocked and pointed at my head."

Suspect Kueck began rambling and said "I don't want to hurt anybody. I'd rather commit suicide than shoot a cop." Suspect Kueck told his [redacted] that he was at "[redacted]" house (location). He said [redacted] was unaware of his involvement in Deputy [redacted] murder. He said "When they find me, they'll kill me, I hope. I don't want a cop to kill me. I'd rather have anyone else kill me but a cop."